

Calendar No. 84

106TH CONGRESS
1ST SESSION

S. CON. RES. 17

Concerning the 20th Anniversary of the Taiwan Relations Act.

IN THE SENATE OF THE UNITED STATES

MARCH 11, 1999

Mr. MURKOWSKI (for himself, Mr. TORRICELLI, Mr. LOTT, Mr. HELMS, Mr. THOMAS, Mr. BURNS, Mr. KYL, Mr. ROCKEFELLER, and Mr. DASCHLE) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

MARCH 26, 1999

Reported under authority of the order of the Senate of March 25, 1999, by
Mr. HELMS, with an amendment and an amendment to the preamble

[Strike out the preamble and all after the resolving clause and insert the part printed in italic]

CONCURRENT RESOLUTION

Concerning the 20th Anniversary of the Taiwan Relations
Act.

Whereas ~~April 10, 1999,~~ will mark the 20th anniversary of
the enactment of the Taiwan Relations Act, codifying in
public law the basis for continued commercial, cultural,
and other relations between the United States and demo-
cratic Taiwan;

Whereas the Taiwan Relations Act was advanced by Congress
and supported by the executive branch as a critical tool

to preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the United States and the Republic of China on Taiwan;

Whereas the Taiwan Relations Act has been instrumental in maintaining peace, security, and stability in the Taiwan Strait since its enactment in 1979;

Whereas, when the Taiwan Relations Act was enacted, it reaffirmed that the United States decision to establish diplomatic relations with the People's Republic of China is based upon the expectation that the future of Taiwan will be determined by peaceful means;

Whereas officials of the People's Republic of China refuse to renounce the use of force against democratic Taiwan;

Whereas the defense modernization and weapons procurement efforts by the People's Republic of China, as documented in the February 1, 1999, report by the Secretary of Defense on "The Security Situation in the Taiwan Strait", could threaten cross-strait and East Asian stability and United States interests in the East Asia region;

Whereas the Taiwan Relations Act provides explicit guarantees that the United States will make available defense articles and defense services in such quantities as may be necessary for Taiwan to maintain a sufficient self-defense capability;

Whereas the Taiwan Relations Act requires timely reviews by United States military authorities of Taiwan's defense needs in connection with recommendations to the President and Congress;

Whereas Congress and the President are committed by section 3(b) of the Taiwan Relations Act (22 U.S.C.

3302(b)) to determine the nature and quantity of what Taiwan's legitimate needs are for its self-defense;

Whereas the Republic of China on Taiwan routinely makes informal requests to United States Government officials; which are discouraged or declined informally by United States Government personnel;

Whereas it is the policy of the United States to reject any attempt to curb the provision by the United States of defense articles and defense services legitimately needed for Taiwan's self-defense;

Whereas it is the current executive branch policy to bar most high-level dialog regarding regional stability with senior military officials on Taiwan;

Whereas the Taiwan Relations Act sets forth the policy to promote extensive commercial relations between the people of the United States and the people on Taiwan; and that policy is advanced by membership in the World Trade Organization;

Whereas the human rights provisions in the Taiwan Relations Act helped stimulate the democratization of Taiwan;

Whereas Taiwan today is a full-fledged, multiparty democracy that fully respects human rights and civil liberties and, as such, serves as a successful model of democratic reform for the People's Republic of China;

Whereas it is the policy of the United States to promote extensive cultural relations between the United States and Taiwan; ties that should be further encouraged and expanded;

Whereas any attempt to determine Taiwan's future by other than peaceful means; including boycotts or embargoes; would be considered as a threat to the peace and security

of the Western Pacific and of grave concern to the United States;

Whereas the Taiwan Relations Act established the American Institute in Taiwan to carry out the programs, transactions, and other relations of the United States with respect to Taiwan; and

Whereas the American Institute in Taiwan has played a successful role in sustaining and enhancing United States relations with Taiwan: Now, therefore, be it

Whereas April 10, 1999, will mark the 20th anniversary of the enactment of the Taiwan Relations Act, codifying in public law the basis for continued commercial, cultural, and other relations between the United States and democratic Republic of China on Taiwan;

Whereas the Taiwan Relations Act was advanced by Congress and supported by the executive branch as a critical tool to preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the United States and Taiwan;

Whereas the Taiwan Relations Act has been instrumental in maintaining peace, security, and stability in the Taiwan Strait since its enactment in 1979;

Whereas, when the Taiwan Relations Act was enacted, it reaffirmed that the United States decision to establish diplomatic relations with the People's Republic of China is based upon the expectation that the future of Taiwan will be determined by peaceful means;

Whereas officials of the People's Republic of China refuse to renounce the use of force against Taiwan;

Whereas the defense modernization and weapons procurement efforts by the People's Republic of China, as doc-

umented in the February 1, 1999, report by the Secretary of Defense on “The Security Situation in the Taiwan Strait”, could threaten cross-strait and East Asian stability and United States interests in the East Asia region;

Whereas the Taiwan Relations Act provides explicit guarantees that the United States will make available defense articles and defense services in such quantities as may be necessary for Taiwan to maintain a sufficient self-defense capability;

Whereas the Taiwan Relations Act requires timely reviews by United States military authorities of Taiwan’s defense needs in connection with recommendations to the President and Congress;

Whereas Congress and the President are committed by section 3(b) of the Taiwan Relations Act (22 U.S.C. 3302(b)) to determine the nature and quantity of what Taiwan’s legitimate needs are for its self-defense;

Whereas Taiwan routinely makes informal requests for defense articles and defense services to United States Government officials, which are discouraged or declined informally by United States Government personnel;

Whereas it is the policy of the United States to reject any attempt to curb the provision by the United States of defense articles and defense services legitimately needed for Taiwan’s self-defense;

Whereas it is the current executive branch policy to limit most high-level dialog regarding regional stability with Taiwan senior military officials;

Whereas the Taiwan Relations Act sets forth the policy to promote extensive commercial relations between the people of the United States and the people on Taiwan, and that policy is advanced by membership in the World Trade Organization;

Whereas Taiwan completed its bilateral market access negotiations with the United States on February 20, 1998, and all countries which asked to negotiate bilateral agreements with Taiwan have concluded those agreements, although Canada has reopened negotiations on certain products;

Whereas the human rights provisions in the Taiwan Relations Act helped stimulate the democratization of Taiwan;

Whereas Taiwan today is a full-fledged, multiparty democracy that fully respects human rights and civil liberties and, as such, serves as a successful model of democratic reform for the People's Republic of China;

Whereas it is the policy of the United States to promote extensive cultural relations between the United States and Taiwan, ties that should be further encouraged and expanded;

Whereas any attempt to determine Taiwan's future by other than peaceful means, including boycotts or embargoes, would be considered as a threat to the peace and security of the Western Pacific and of grave concern to the United States;

Whereas the Taiwan Relations Act established the American Institute in Taiwan to carry out the programs, transactions, and other relations of the United States with respect to Taiwan; and

Whereas the American Institute in Taiwan has played a successful role in sustaining and enhancing United States relations with Taiwan: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring), That it is the sense of the Congress that—*

3 (1) the United States should reaffirm its com-
4 mitment to the Taiwan Relations Act and the spe-
5 cific guarantees of provision of legitimate defense ar-
6 ticles to Taiwan contained therein;

7 (2) the Congress has grave concerns over Chi-
8 na's growing arsenal of nuclear and conventionally
9 armed ballistic missiles; the movement of those mis-
10 siles into a closer geographic proximity to Taiwan;
11 and the effect that the buildup may have on stability
12 in the Taiwan Strait;

13 (3) the President should direct all appropriate
14 officials to raise with officials from the People's Re-
15 public of China the grave concern of the United
16 States over China's growing arsenal of nuclear and
17 conventionally armed ballistic missiles; the move-
18 ment of those missiles into a closer geographic prox-
19 imity to Taiwan; and the effect that the buildup may
20 have on stability in the Taiwan Strait;

21 (4) the President should seek from the leaders
22 of the People's Republic of China a public renunci-

1 ation of any use of force, or threat to use force,
2 against democratic Taiwan;

3 (5) the President should provide annually a re-
4 port detailing the military balance on both sides of
5 the Taiwan Strait, including the impact of procure-
6 ment and modernization programs underway;

7 (6) the Secretary of Defense should inform the
8 appropriate committees of Congress when officials
9 from Taiwan seek to purchase defense articles for
10 self-defense;

11 (7) the United States Government should en-
12 courage a high-level dialog with officials of Taiwan
13 and of other United States allies in East Asia, in-
14 cluding Japan and South Korea, on the best means
15 to ensure stability, peace, and freedom of the seas
16 in East Asia;

17 (8) it should be United States policy, in con-
18 formity with the spirit of section 4(d) of the Taiwan
19 Relations Act (22 U.S.C. 3303(d)), to publicly sup-
20 port Taiwan's admission to the World Trade Organi-
21 zation forthwith, on its own merits as well as to en-
22 courage others to adopt similar policies, without
23 making such admission conditional on the previous
24 or simultaneous admission of the People's Republic
25 of China to the World Trade Organization.

1 *That it is the sense of the Congress that—*

2 *(1) the United States should reaffirm its commit-*
3 *ment to the Taiwan Relations Act and the specific*
4 *guarantees of provision of legitimate defense articles*
5 *to Taiwan contained therein;*

6 *(2) the Congress has grave concerns over China's*
7 *growing arsenal of nuclear and conventionally armed*
8 *ballistic missiles adjacent to Taiwan, and the effect*
9 *that the buildup may have on stability in the Taiwan*
10 *Strait, and United States government officials should*
11 *continue to raise these concerns with officials of the*
12 *People's Republic of China;*

13 *(3) the President should seek from the leaders of*
14 *the People's Republic of China a public renunciation*
15 *of any use of force, or threat to use force, against*
16 *democratic Taiwan;*

17 *(4) the President should provide annually a re-*
18 *port detailing the military balance on both sides of*
19 *the Taiwan Strait, including the impact of procure-*
20 *ment and modernization programs underway;*

21 *(5) the Secretary of Defense should make avail-*
22 *able to the appropriate committees of Congress the an-*
23 *ual military requirements list submitted by Taiwan;*

24 *(6) it should be United States policy to encour-*
25 *age the participation of Taiwan in a high-level re-*

1 *gional dialog on the best means of ensuring stability,*
2 *peace, and freedom of the seas in East Asia; and*
3 *(7) it should be United States policy, in con-*
4 *formity with the spirit of section 4(d) of the Taiwan*
5 *Relations Act (22 U.S.C. 3303(d)), to publicly sup-*
6 *port Taiwan's admission to the World Trade Organi-*
7 *zation forthwith, on its own merits, and consistent*
8 *with the bilateral market access agreement with the*
9 *United States.*

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preamble